

112TH CONGRESS
2D SESSION

H. CON. RES. 98

To express the sense of the Congress that any Executive order that infringes on the powers and duties of the Congress under article I, section 8 of the Constitution, or that would require the expenditure of Federal funds not specifically appropriated for the purpose of the Executive order, is advisory only and has no force or effect unless enacted as law.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 2012

Ms. JENKINS (for herself, Mr. PAUL, Mrs. BLACK, Mrs. HARTZLER, Mr. YODER, Mr. HULTGREN, Mr. AKIN, Mr. SCHILLING, Mr. JONES, Mr. HERGER, and Mr. GOSAR) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary

CONCURRENT RESOLUTION

To express the sense of the Congress that any Executive order that infringes on the powers and duties of the Congress under article I, section 8 of the Constitution, or that would require the expenditure of Federal funds not specifically appropriated for the purpose of the Executive order, is advisory only and has no force or effect unless enacted as law.

Whereas some Executive orders have infringed on the prerogatives of the Congress and resulted in the expenditure of Federal funds not appropriated for the specific purposes of those Executive orders: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That it is the sense of the Congress that any
3 Executive order issued by the President before, on, or
4 after the date of the approval of this resolution that in-
5 fringes on the powers and duties of the Congress under
6 article I, section 8 of the Constitution, or that would re-
7 quire the expenditure of Federal funds not specifically ap-
8 propriated for the purpose of the Executive order, is advi-
9 sory only and has no force or effect unless enacted as law.

○